THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 25571 of 1998

Oral order:

Questioning the action of the respondents in not considering the case of the petitioner for appointment in any suitable post in the respondent-Board under the land-oustees quota, the present writ petition is filed.

The petitioner states that the land admeasuring Ac.1.00, situated in Survey No.219/3A of Kalamalla village, Yarraguntla Mandal, Cuddapah District, belonging to their family, was acquired by the respondents for the purpose of construction of Rayalaseema Thermal Power Project. The grievance of the petitioner is that subsequent to the said acquisition he made several representations requesting the respondents to provide him employment in any suitable post under the land ousters quota, but the respondents, having considered the cases of similarly situated land ousters and provided employment to them in the year 1994 itself, failed to consider his case till date. Hence, he filed the present writ petition.

Though the writ petition was admitted and interim direction was granted by this Court as long back as on 10.09.1998, so far no counter affidavit is filed by the respondents, even though the matter was adjourned on two occasions – one on 20.06.2007 and the other on 12.09.2007, and even though, today again a request is made for adjournment, I am not inclined to grant any adjournment, and deem it appropriate to dispose of the writ petition on the basis of the material available on record.

In the absence of any counter filed by the respondents, rebutting

the stand taken by the petitioner in the writ petition, this Court has no other alternative, but to presume that the averments made by the petitioner in the affidavit filed in support of the writ petition are true and correct. Therefore, treating the averments made by the petitioner in the affidavit filed in support of the writ petition to be true and correct, I deem it appropriate to allow the writ petition as prayed for.

Accordingly, the writ petition is allowed as prayed for. There shall be direction to the respondents to appoint the petitioner in any suitable post in the respondents-Board as per the scheme evolved for the benefit of the land ousters of Rayalaseema Thermal Power Project. No costs.

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N.V. RAMANA, J.

Dated: 19th September, 2007
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